

Notice of Allowability

Application No.

09/772,785

Examiner

Toan C To

Applicant(s)

ZIECH ET AL.

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10-06-2004.
2. ☒ The allowed claim(s) is/are 4,5,9,10,12,16,20 and 22.
3. ☒ The drawings filed on 11 October 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Toan To
Patent Examiner
October 25, 2004

Allowable Subject Matter

1. Claims 4-5, 9-10, 12, 16, 20, 22 are allowed.
2. The following is an examiner's statement of reasons for allowance:

With respect to claims 4, and 9, the prior art reference either alone or in combination fail to disclose, teach or suggest a subframe for a motor vehicle particularly comprising: first and second side members; first and second cross members, a third cross member connected to said first and second side members, wherein the first and second side members and the first and second cross members are configured to receive first and second lower suspension control arms and first and second upper suspension control arms. These structures in combination with other structures as recited in claims 4 and 9 define over prior art of record.

With respect to claims 5, and 10, the prior art reference either alone or in combination fail to disclose, teach or suggest a subframe for a motor vehicle particularly comprising: first and second side members; first and second cross members; wherein the first and second side members and the first and second cross members are configured to receive first and second lower suspension control arms and first and second upper suspension control arms, and the first cross member is configured to receive a first end of a strut rod, the strut rod having a second end coupled to a frame of the motor vehicle. These structures in combination with other structures as recited in claims 5 and 10 define over prior art of record.

With respect to claim 12, the prior art reference either alone or in combination fail to disclose, teach or suggest a subframe for a motor vehicle particularly comprising: first

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and second side members; first and second cross members; wherein the first and second side members and the first and second cross members are configured to receive first and second lower suspension control arms, first and second upper suspension control arms, a steering linkage, and a steering gear. These structures in combination with other structures as recited in claim 12 define over prior art of record.

With respect to claim 16, the prior art reference either alone or in combination fail to disclose, teach or suggest a vehicle subassembly particularly comprising: first and second side members; and first and second cross members, each of said first and second cross members connected to said first and second side members; first and second lower suspension control arms coupled to the subframe; and, first and second upper suspension control arms coupled to the subframe; wherein the subframe includes a third cross member connected to said first and second side members. These structures in combination with other structures as recited in claim 16 define over prior art of record.

With respect to claim 20, the prior art reference either alone or in combination fail to disclose, teach or suggest a vehicle subassembly particularly comprising: the interconnection between the structures of the subframe and the first and second lower suspension arms, the first and second upper suspension arm, and the steering gear.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan C To whose telephone number is (703) 306-5951. The examiner can normally be reached on Mon-Fri (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (703) 308-2089. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTo
October 25, 2004

 10/27/04
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600